

**Committee of Adjustment**  
**Minutes**

**Meeting #:** CofA 07/2023  
**Date:** Tuesday, July 4, 2023  
**Time:** 4:00 pm  
**Location:** Meridian Community Centre - Accursi A and B  
100 Meridian Way  
Fonthill, ON  
L0S 1E6

Members Present      Colin McCann  
Don Rodbard  
John Cappa

Members Absent      Brenda Stan  
Isaiah Banach

Staff Present      Sarah Leach  
Andrew Edwards  
Gimuel Ledesma

**1. Attendance**

Applicants, Agents and viewing members of the public via hybrid in-person and live-stream through the Town of Pelham YouTube Channel.

**2. Call to Order, Declaration of Quorum and Introduction of Committee and Staff**

Noting that a quorum was present, Chair Cappa called the meeting to order at approximately 4:00 pm. The Chair read the opening remarks to inform those present on the meeting protocols and he introduced the hearing panel and members of staff present.

**3. Land Recognition Statement**

**4. Approval of Agenda**

**Moved By** Colin McCann  
**Seconded By** Don Rodbard

**THAT the agenda for the July 4, 2023 Committee of Adjustment meeting be adopted, as circulated.**

**Carried**

**5. Disclosure of Pecuniary Interest and General Nature Thereof**

There were no pecuniary interests disclosed by any of the members present.

**6. Requests for Withdrawal or Adjournment**

Ms. Sarah Leach, Secretary-Treasurer stated no requests for withdrawal or adjournment have been made.

**7. Applications for Minor Variance**

Applications A11/2023P, A12/2023P and A13/2023P were considered concurrently.

**7.1 A11/2023P - 19 Arsenault Crescent**

**Purpose of the Application**

Application A11/2023P is made for relief to construct a single detached dwelling, from: Section R2-95 "Maximum Front Yard" – to permit a maximum front yard setback of 6.5m to the dwelling front face whereas the by-law requires a maximum front yard setback of 5.5m.

Application A12/2023P is made for relief to construct a single detached dwelling, from: Section R2-95 "Maximum Front Yard" – to permit a maximum front yard setback of 6.0m to the dwelling front face whereas the by-law requires a maximum front yard setback of 5.5m.

Application A13/2023P is made for relief to construct a single detached dwelling, from: Section R2-95 "Maximum Front Yard" – to permit a maximum front yard setback of 6.5m to the dwelling front face whereas the by-law requires a maximum front yard setback of 5.5m.

**Representation**

The Agent, Ethan Laman was present.

## **Correspondence Received**

1. Town of Pelham Planning
2. Town of Pelham Public Works
3. Town of Pelham Building

## **Public Comments**

Ms. Leach, Secretary Treasurer indicated she checked the [clerks@pelham.ca](mailto:clerks@pelham.ca) email address and confirmed no e-mails have been received with regard to the subject application. Ms. Leach indicated the public comment portion of the application could be closed. The Committee agreed to close the public portion of the meeting and deliberate.

**Moved By** Don Rodbard

**Seconded By** Colin McCann

**THAT the public portion of the meeting be closed.**

**Carried**

## **Member Comments**

The Members offered no comments or concerns.

**Moved By** Colin McCann

**Seconded By** Don Rodbard

**THAT Application A11/2023P for relief of Section R2-95 “Maximum Front Yard” – to permit a maximum front yard setback of 6.5m to the dwelling front face whereas the by-law requires a maximum front yard setback of 5.5m, is hereby: GRANTED;**

**AND THAT Application A12/2023P for relief of Section R2-95 “Maximum Front Yard” – to permit a maximum front yard setback of 6.0m to the dwelling front face whereas the by-law requires a maximum front yard setback of 5.5m, is hereby: GRANTED;**

**AND THAT Application A13/2023P for relief of Section R2-95 “Maximum Front Yard” – to permit a maximum front yard setback of 6.5m to the dwelling front face whereas the by-law requires a maximum front yard setback of 5.5m, is hereby: GRANTED;**

**The above decisions are based on the following reasons:**

1. The variance is minor in nature as there will be minimal impacts on the streetscape, and there remains sufficient lot area to site the proposed dwelling on the lot.
2. The general purpose and intent of the Zoning By-Law is maintained.
3. The intent of the Official Plan is maintained.
4. The proposal is desirable for the appropriate development and/or use of the land because it will facilitate the siting of the proposed dwelling on a lot with irregular frontage.
5. This application is granted without prejudice to any other application in the Town of Pelham.
6. The Committee of Adjustment considered the written and oral comments and agrees with the minor variance report analysis and recommendation that this application meets the Planning Act tests for minor variance.
7. The applicant is aware no side yard walkways that impede side yard swales shall be permitted.

The above decisions are subject to the following conditions:

1. That all necessary building permits are obtained prior to construction commencing, to the satisfaction of the Chief Building Official.

Prior to Building Permit:

1. To the Satisfaction of the Director of Public Works
  1. Submit a comprehensive Lot Grading & Drainage Plan demonstrating that the drainage neither relies, nor negatively impacts neighbouring properties, to the satisfaction of the Director of Public Works, or designate.

**Carried**

## **7.2 A12/2023P - 15 Arsenault Crescent**

Application A12/2023P was heard concurrently with A11/2023P and A13/2023P. See A11/2023P for minutes.

**7.3 A13/2023P - 11 Arsenault Crescent**

Application A13/2023P was heard concurrently with A11/2023P and A12/2023P. See A11/2023P for minutes.

**8. Applications for Consent**

None.

**9. Minutes for Approval**

**Moved By** Colin McCann

**Seconded By** Don Rodbard

**THAT the Committee of Adjustment minutes dated April 3, 2023, be approved.**

**Carried**

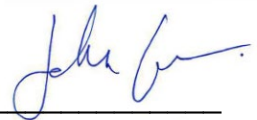
**10. Adjournment**

**Moved By** Don Rodbard

**Seconded By** John Cappa

**BE IT RESOLVED THAT this Meeting of the Committee of Adjustment be adjourned until the next regular meeting scheduled for August 8, 2023 at 4:00 pm.**

**Carried**



John Cappa, Chair



Sarah Leach, Secretary-Treasurer